

REMARKS

In response to the Office Action mailed on December 15, 2004, Applicants submit the following Amendment and Response. Claims 27-56 remain pending. Claims 27-56 were rejected under the judicially-created doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 1-5, 11-14, 16-18, 21-22, 24-26, 32-35, 37-39, 42, 44, 46-47, 53-56, 58-60 and 63-64 of U.S. Patent No. 6,326,173. Without conceding the propriety of the rejection, the enclosed Terminal Disclaimer should obviate the rejection for alleged obviousness-type double patenting in view of U.S. Patent No. 6,326,173.

Accordingly, Applicants assert that the claims are in condition for allowance. Favorable action on the merits of the claims is therefore earnestly solicited. If any issues remain, please contact Applicants' undersigned representative at (949) 737-2900.

Please charge the requisite fee of \$110.00 to Deposit Account No. 50-2862. If any additional fees are necessitated by the filing of this document, please charge Deposit Account No. 50-2862

Respectfully submitted,

O'MELVENY & MYERS LLP

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